

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ANTHONY LAMAR ALLEN,
Petitioner,
vs.
STEVE SINCLAIR,
Respondent.

NO. CV-11-237-JLQ

**ORDER GRANTING MOTION TO
WITHDRAW; DISMISSING FIRST
AMENDED PETITION WITHOUT
PREJUDICE; AND TO CLOSE FILE**

BEFORE THE COURT is Petitioner's Motion to Withdraw First Amended Petition, ECF No. 19, which he noted for hearing without oral argument on December 9, 2011. Petitioner is proceeding *pro se*; Respondent has not been served.

The Motion was heard without oral argument on the date signed below. For good cause shown, **IT IS ORDERED** Petitioner's Motion, ECF No. 19, is **GRANTED**, and the First Amended Petition shall be **DISMISSED** without prejudice.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, enter judgment of dismissal of the First Amended Petition without prejudice, forward a copy to Petitioner, and close the file. The Court further certifies there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R.App. P. 22(b).

DATED this 2nd day of November 2011.

s/ Justin L. Quackenbush
JUSTIN L. QUACKENBUSH
SENIOR UNITED STATES DISTRICT JUDGE

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